THE NATIONAL ARCHIVES

FEDERAL REGISTER

OF THE UNITED STATES 1934

VOLUME 17 NUMBER 115

Washington, Thursday, June 12, 1952

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10360

AMENDMENT OF EXECUTIVE ORDER NO. 9781, ESTABLISHING THE AIR COORDINATING COMMITTEE

By virtue of the authority vested in me as President of the United States, it is ordered that paragraph 1 (a) of Executive Order No. 9781 of September 19, 1946, be, and it is hereby, amended to read as follows:

"1. (a) There is hereby established the Air Coordinating Committee (hereinafter referred to as the Committee), which shall have as members one representative from each of the following-named agencies (hereinafter referred to as the participating agencies): the State, Army, Navy, Air Force, Treasury, Post Office, and Commerce Departments and the Civil Aeronautics Board. The members shall be designated by the respective heads of the participating agencies. The President shall name one of the members as the Chairman of the Committee. The Director of the Bureau of the Budget and the Chairman of the National Security Resources Board shall each designate one representative of his agency as a non-voting member of the Committee."

This order supersedes (1) Executive Order No. 9990 of August 21, 1948, which enlarged the membership of the Air Coordinating Committee by including a representative of the Treasury Department, and (2) the letter of the President to the Chairman of the National Security Resources Board dated September 27, 1950, which requested that a representative of such Board be designated as a non-voting member of the Air Coordinating Committee.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 11, 1952.

[F. R. Doc. 52-6545; Filed, June 11, 1952; 12:18 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

TEACHER AND SUBSTITUTE (TEMPORARY) TEACHER IN INDIAN SCHOOLS

Subparagraphs (1), (4), and (5) of § 24.14 (a) are amended to read as follows:

§ 24.14 *Teacher and substitute (temporary) teacher, GS-1710, in Indian schools*—(a) *Educational requirement*—(1) *Elementary and principal-teacher.* Completion of a full four-year course, leading to a degree from an accredited college or university, including or supplemented by 24 semester hours in education, 12 of which must be in elementary education.

NOTE: For temporary appointment of substitute elementary teacher, this educational requirement may be modified to require only two full years of study in the education department of an accredited college or university.

* * * * *

(4) *Vocational subjects.* Completion of a full four-year course, leading to a degree from an accredited college or university, including or supplemented by 18 semester hours in education and 24 semester hours in skilled trades.

(5) *Science.* Completion of a full four-year course, leading to a degree from an accredited college or university, including or supplemented by 18 semester hours in education and either 24 semester hours in physical science or 18 semester hours in physical sciences and 6 semester hours in mathematics.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 52-6434; Filed, June 11, 1952; 8:50 a. m.]

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Regulation 438, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

a. *Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

b. *Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.546 (Lemon Regulation 438, 17 F. R. 5185) are hereby amended to read as follows:

(ii) District 2: 700 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of June 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-6514; Filed, June 11, 1952; 9:00 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter F—Animal Breeds

[BAI Order 379, Amdt. 18]

PART 151—RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

HOGS

On April 8, 1952, a notice of rule making was published in the FEDERAL REGISTER (17 F. R. 3064) regarding the proposed recognition by the Secretary of Agriculture of the Gloucestershire Old Spots Section of the book of record of purebred hogs entitled "Herd Book of the National Pig Breeders' Association."

After due consideration of all relevant material presented in connection with the notice, the Secretary of Agriculture, pursuant to the authority vested in him by section 201, paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Supp. IV, Sec. 1201, Par. 1606) hereby recognizes the Gloucestershire Old Spots Section of the said book of record, and hereby amends the regulations governing the recognition of breeds and books of record of purebred animals (9 CFR Part 151, as amended) by adding under the subheading "Hogs" (9 CFR 151.10 (a), as amended) the name "Gloucestershire Old Spots" to the list of breeds in the said herd book which are currently so recognized.

(Par. 1606, 46 Stat. 673, as amended; 19 U. S. C. 1201, par. 1606)

The foregoing amendment shall become effective on the 14th day of July 1952.

Done at Washington, D. C., this 9th day of June 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-6428; Filed, June 11, 1952; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 75]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

CONTROL AREA EXTENSIONS; CALIFORNIA AND TEXAS

The control area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.1069 is amended to read:

§ 601.1069 *Control area extension (Santa Barbara, Calif.).* Within 5 miles either side of the north, south and west courses of the Santa Barbara radio range extending from the radio range station to points 25 miles north, 20 miles south and 25 miles west of the radio range station.

2. Section 601.1113 *Control area extension (San Francisco, Calif.)* is amended by adding the following portion to present control area extension: "and all that area beginning at a point on the western boundary of Blue civil airway No. 10 at the point of intersection with lat. 38°-15'00", thence along the western boundaries of Blue civil airway No. 10, Blue civil airway No. 54 and Amber civil airway No. 8 to a point at which the western boundary of Amber civil airway No. 8 intersects the coastline, thence along the coastline in a northwesterly direction to Point Reyes, Calif., thence in a northeasterly direction to lat. 38°15'00", long. 122°45'00", thence to the point of beginning."

3. Section 601.1215 is amended to read:

§ 601.1215 *Control area extension (Galveston, Tex.).* All that area extending from the Houston, Tex., control area to the New Orleans Oceanic Control Area, bounded on the west by a line from lat. 29°04'40", long. 95°00'00", to lat. 28°02'20", long. 94°20'00", and bounded on the east by a line from lat. 29°16'00", long. 94°43'15" to lat. 28°15'00", long. 92°42'00".

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t., June 20, 1952.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-6416; Filed, June 11, 1952; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5830]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BULOVA WATCH CO., INC.

Subpart—*Discriminating in price under section 2, Clayton Act as amended—Payment for services or facilities for processing or sale under 2 (d):* § 3.825 *Allowances for services or facilities.* In connection with the sale or offering for sale of men's and women's watches in commerce, (1) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer for advertising services or facilities furnished by or through such customer unless such payment or consideration is available on proportionally equal terms to all other customers of respondent who, in fact, compete with the favored customer in the resale of respondent's products; (2) paying or allowing, or contracting to pay or allow, anything of value to or for the benefit or any customer for advertising services or facilities furnished by or through said customer, as a percentage or proportion of dollar volume of purchases by such customer different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of such products and where such payments are based on the amount of purchases made; or, (3) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, as compensation, or in consideration for, any services or facilities furnished by, or through, such customer in connection with the processing, handling, sale or offering for sale, of any products manufactured or sold by respondent, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 46) [Cease and desist order, Bulova Watch Company, Inc., New York, N. Y., Docket 5830, March 17, 1952]

Pursuant to the provisions of the Clayton Act, as amended by the Robinson-Patman Act (15 U. S. C. 13), the Federal Trade Commission on December 1, 1950, issued and subsequently served its complaint in this proceeding upon Bulova Watch Company, Inc., a corporation, charging said respondent with violation of subsection (d) of section 2 of said act, as amended. After the filing by respondent of its answer to the complaint, pursuant to leave to withdraw such original answer and to file amended answer as subsequently granted to respondent by the hearing examiner of the Commission designated in the complaint, respondent's amended answer was filed in which amended answer the respondent, for the purposes of this proceeding, admitted all the material allegations of fact set forth in the complaint, waived hearings as to the facts and consented to the entry of findings as to the facts based upon the complaint and the answer and the issuance against it of an order to cease and desist, upon the condition, however, that no order to cease and desist be issued or served upon it until orders are entered disposing of the complaints against the Gruen Watch Company, Federal Trade Commission Docket No. 5836, and Elgin National Watch Company, Federal Trade Commission Docket No. 5837; and on May 25, 1951, the hearing examiner filed his initial decision.

Thereafter, within the time permitted by the rules of practice of the Commission, respondent appealed from the initial decision of the hearing examiner and this proceeding regularly came on for final consideration by the Commission upon the record herein, including the respondent's brief in support of its appeal and the brief in opposition thereto filed by counsel supporting the complaint (oral argument not having been requested); and the Commission, having duly considered the record and having ruled upon said appeal and being now fully advised in the premises, makes the following findings as to the facts,[1] conclusion drawn therefrom [1] and order, the same to be in lieu of the initial decision of the hearing examiner.

It is ordered, That the respondent Bulova Watch Company, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or offering for sale of men's and women's watches, in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

(1) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer for advertising services or facilities furnished by or through such customer unless such payment or consideration is available on proportionally equal terms to all other customers of respondent who, in fact, compete with the favored customer in the resale of respondent's products.

(2) Paying or allowing, or contracting to pay or allow, anything of value to or for the benefit of any customer for advertising services or facilities furnished by or through said customer, as a percentage or proportion of dollar volume of purchases by such customer different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of such products and where such payments are based on the amount of purchases made.

(3) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, as compensation, or in consideration for, any services or facilities furnished by, or through, such customer in connection with the processing, handling, sale or offering for sale, of any products manufactured or sold by respondent, unless such payment or consideration is avail-

[1] Filed as part of the original document.

able on proportionally equal terms to all other customers competing in the distribution of such products.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: March 17, 1952.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 52-6443; Filed, June 11, 1952; 8:53 a. m.]

[Docket 5836]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

GRUEN WATCH CO.

Subpart—*Discriminating in price under section 2, Clayton Act as amended—Payment for services or facilities for processing or sale under 2 (d)*: § 5.825 *Allowances for services or facilities.* In connection with the sale or offering for sale of men's and women's watches in commerce, (1) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, as a percentage or proportion of the dollar volume of purchases by such customer, different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of said products and where such payments are based on the amount of purchases made; or, (2) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products manufactured or sold by respondent, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 46) [Cease and desist order, the Gruen Watch Company, Cincinnati, Ohio, Docket 5836, March 17, 1952]

Pursuant to the provisions of the Clayton Act, as amended by the Robinson-Patman Act (15 U. S. C. 13), the Federal Trade Commission on January 4, 1951, issued and subsequently served its complaint in this proceeding upon the Gruen Watch Company, a corporation, charging said respondent with violation of subsection (d) of section 2 of said act, as amended. After the filing by respondent of its answer to the complaint, respondent filed motion to withdraw such answer and to file substitute answer annexed thereto admitting, solely for the purposes of this proceeding and the enforcement or review thereof, various allegations of material fact set forth in the complaint including reasonable inferences which may be drawn therefrom, waiving hearing on the complaint and consenting that the Commission may make and enter its findings as to the facts based on the complaint and such substitute answer and thereupon issue its order, which substitute answer was proffered on the condition, however, that no order to cease and desist be issued and served herein until orders are entered by the Commission disposing of the proceedings pending in Docket No. 5830, Bulova Watch Company, and in Docket No. 5837, Elgin National Watch Company. Respondent's motion, as aforesaid, was duly granted by a hearing examiner of the Commission theretofore designated by it to act in this proceeding, this proceeding was closed for the taking of evidence and on May 25, 1951, the hearing examiner filed his initial decision.

Thereafter, within the time permitted by the rules of practice of the Commission, respondent appealed from the initial decision of the hearing examiner and this matter came on for final hearing before the Commission upon the complaint, the substitute answer, the initial decision of the hearing examiner and respondent's appeal therefrom, briefs in support of and in opposition to such appeal and oral argument; and the Commission, having duly considered the record and ruled upon said appeal and being now fully advised in the premises, makes the following findings as to the facts,[1] conclusion drawn therefrom[1] and order, the same to be in lieu of the initial decision of the hearing examiner.

It is ordered, That the respondent the Gruen Watch Company, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or offering for sale of men's and women's watches in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

(1) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, as a percentage or proportion of the dollar volume of purchases by such customer, different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of said products and where such payments are based on the amount of purchases made.

(2) Paying or allowing, or contracting to pay or allow, anything value to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products manufactured or sold by respondent, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products.

[1] Filed as part of the original document.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: March 17, 1952.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 52-6442; Filed, June 11, 1952; 8:51 a. m.]

[Docket 5837]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ELGIN NATIONAL WATCH CO.

Subpart — *Discriminating in price under section 2, Clayton Act as amended—Payment for services or facilities for processing or sale under 2 (d)*: § 3.825 *Allowances for services or facilities.* In connection with the sale or offering for sale of men's and women's watches in commerce, (1) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, unless such payment or consideration is available on proportionally equal terms to all other customers of respondent who in fact compete with the favored customer in the resale of respondent's said products; (2) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, as a percentage or proportion of the dollar volume of purchases by such customer different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of said products and where such payments are based on the amount of purchases made; or, (3) paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale, of any products manufactured or sold by respondent, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 46) [Cease and desist order, Elgin National Watch Company, Elgin, Illinois, Docket 5837, March 17, 1952]

Pursuant to the provisions of an act of Congress entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by an act of Congress approved June 19, 1936 (the Robinson-Patman Act), the Federal Trade Commission, on January 4, 1951,

issued and subsequently served its complaint in this proceeding upon the respondent, Elgin National Watch Company, a corporation, charging said respondent with having violated the provisions of subsection (d) of section 2 of said Clayton Act, as amended. After the issuance of said complaint and the filing of the respondent's answer thereto, the respondent, pursuant to leave granted by the hearing examiner of the Commission designated in the complaint, withdrew its original answer and filed an amended answer to the complaint, in which answer the respondent, for the purposes of this proceeding, admitted all of the material allegations of fact set forth in the complaint, waived all hearings as to said facts, and consented to the entry of findings as to the facts and the issuance against it of an order to cease and desist based upon the complaint and said amended answer, upon the condition, however, that no order to cease and desist should be issued or served upon it until the entry of orders disposing of pending complaints against Bulova Watch Company, Inc., Federal Trade Commission Docket No. 5830, and the Gruen Watch Company, Federal Trade Commission Docket No. 5836; and, on May 25, 1951, the hearing examiner filed his initial decision.

Within the time permitted by the Commission's rules of practice, the respondent filed with the Commission an appeal from said initial decision; and thereafter this proceeding regularly came on for final consideration by the Commission upon the record herein, including the respondent's brief in support of its appeal and the brief in opposition thereto, filed by counsel in support of the complaint (oral argument not having been requested); and the Commission, having issued its order sustaining in part and denying in part the respondent's appeal, and being now fully advised in the premises, makes the following findings as to the facts,[1] conclusion drawn therefrom[1] and order, the same to be in lieu of the findings as to the facts, conclusion and order included in the initial decision of the hearing examiner.

It is ordered, That the respondent, Elgin National Watch Company, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or offering for sale of men's and women's watches in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

(1) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, unless such payment or consideration is available on proportionally equal terms to all other customers of respondent who in fact compete with the favored customer in the resale of respondent's said products.

(2) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer, for advertising services or facilities furnished by or through such customer, as a percentage or proportion of the dollar volume of purchases by such customer different from the percentage or proportion offered or granted any other customer where such customers compete in fact in the resale of said products and where such payments are based on the amount of purchases made.

(3) Paying or allowing, or contracting to pay or allow, anything of value to, or for the benefit of, any customer as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale, of any products manufactured or sold by respondent, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: March 17, 1952.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 52-6441; Filed, June 11, 1952; 8:50 a. m.]

[Docket 5936]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PERMANENT STAINLESS STEEL, INC., AND BERNARD L. MARCY

Subpart—*Advertising falsely or misleadingly:* § 3.20 *Comparative data or merits;* § 3.25 *Competitors and their products — Competitors — Competitors' products:* § 3.110 *Indorsements, approval and testimonials;* § 3.170 *Qualities or properties of product or service;* § 3.205 *Scientific or other relevant facts.* Subpart—*Claiming or using indorsements or testimonials falsely or misleadingly:* § 3.330 *Claiming or using indorsements or testimonials falsely or misleadingly.* Subpart—*Disparaging competitors and their products—Competitors:* § 3.905 *Discontinuance of operation;* § 3.950 *Reliability, history and financial condition—Competitors' products;* § 3.1010 *Qualities or properties;* § 3.1025 *Safety.* Subpart—*Misrepresenting oneself and goods—Goods:* § 3.1575 *Comparative data or merits;* § 3.1665 *Indorsements;* § 3.1710 *Qualities or properties;* § 3.1740 *Scientific or other relevant facts.* In connection with the offering for sale, sale or distribution in commerce of cooking utensils made of stainless steel, or any other product of substantially similar composition, design, construction or purpose, representing, directly or by implication, (1) that the consumption of food cooked or kept in aluminum utensils will cause cancer, or is in any way detrimental or hazardous to the health of the users; (2) that the preparation of food in aluminum utensils causes the formation of poisons, or that any unfavorable chemical reaction occurs therefrom; (3) that any competitor of respondents is no longer in business, or is of doubtful solvency or financial responsibility, if such statements are untrue; (4) that respondents' cooking utensils have been endorsed by any competent health authorities, if such statements are untrue; (5) that the use of respondents' utensils will effect a saving in medicine, or will result in decreasing the quantity of needed medicine, or in less illness, or will effect any greater monetary saving on food than other similar recognized modern methods of cooking; (6) that the use of respondents' cooking utensils constitutes a cooking method especially conducive to good health, or any more conducive to health than the use of other similar recognized modern methods or utensils; (7) that the preparation of food in respondents' utensils will aid digestion any more than the preparation of food in other utensils; (8) that ordinary cooking methods in utensils other than respondents' will result in destruction or loss of vitamins and minerals so as to prevent the consumer from receiving his minimum requirements; (9) that the use of respondents' cooking utensils will retain the minerals and vitamins of food cooked therein to a greater extent than will utensils sold by respondents' competitors which embrace the use of similar recognized modern methods of cooking; or (10) that (a) calcium gives vitality; (b) magnesium will prevent or relieve constipation; (c) iodine will keep cells active; (d) sulphur purifies or tones the human system; (e) sodium aids digestion or purifies the blood; (f) chlorine will cleanse, disinfect, or expel waste from the human body; (g) fluorine strengthens the body or builds resistance; (h) potassium is a liver activator and creates grace and beauty; (i) silicon nourishes the nails, skin or hair; (j) manganese increases resistance; or (k) phosphorus nourishes the brain cells; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Permanent Stainless Steel, Inc., et al., Docket 5936, March 6, 1952]

In the Matter of Permanent Stainless Steel, Inc., a Corporation, and Bernard L. Marcy, an Individual

Pursuant to the provisions of the Federal Trade Commission Act, the Federal Trade Commission, on November 20, 1951, issued and subsequently served its complaint on the respondents named in the caption hereof, charging them with the use of unfair methods of competition and unfair and deceptive acts and practices in violation of the provisions of said act.

The respondents, desiring that this proceeding be disposed of by the consent settlement procedure provided in Rule V of the Commission's rules of practice, solely for the purposes of this proceeding, and review thereof, and the enforcement of the order consented to, and conditioned upon the Commission's acceptance of the consent settlement hereinafter set forth, and in lieu of answer to said complaint, hereby:

[1] Filed as part of the original document.

1. Admit all the jurisdictional allegations set forth in the complaint.

2. Consent that the Commission may enter the matters hereinafter set forth as its findings as to the facts, conclusion, and order to cease and desist. It is understood that the respondents, in consenting to the Commission's entry of said findings as to the facts, conclusion, and order to cease and desist, specifically refrain from admitting or denying that they have engaged in any of the acts or practices stated therein to be in violation of law, and other than the jurisdictional findings, specifically refrain from admitting or denying any of the other said findings of fact.

3. Agree that this consent settlement may be set aside in whole or in part under the conditions and in the manner provided in paragraph (f) of Rule V of the Commission's rules of practice.

The admitted jurisdictional facts, the statement of the acts and practices which the Commission had reason to believe were unlawful, the conclusion based thereon, and the order to cease and desist, all of which the respondents consent may be entered herein in final disposition of this proceeding.

This proceeding was instituted by complaint, which charged respondents with the use of unfair methods of competition and unfair and deceptive acts and practices in violation of the provisions of the Federal Trade Commission Act.

It was disposed of, as announced, by the Commission's "notice" of acceptance of consent settlement through the consent settlement procedure provided in Rule V of the Commission's rules of practice as follows:

The consent settlement tendered by the parties in this proceeding, a copy of which is served herewith, was accepted by the Commission on March 6, 1952, and ordered entered of record as the Commission's findings as to the fact,[1] conclusion[1] and order in disposition of this proceeding.

The time for filing report of compliance pursuant to the aforesaid order runs from the date of service hereof.

Said order to cease and desist, thus entered of record, following the findings as to the facts and conclusion, reads as follows:

It is ordered, That the respondent, Permanent Stainless Steel, Inc., a corporation, and its officers, agents, representatives and employees, and the respondent Bernard L. Marcy, as president thereof, or in any other capacity therefor, and individually, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cooking utensils made of stainless steel, or any other product of substantially similar composition, design, construction or purpose, do forthwith cease and desist from representing, directly or by implication:

1. That the consumption of food cooked or kept in aluminum utensils will cause cancer, or is in any way detrimental or hazardous to the health of the users.

2. That the preparation of food in aluminum utensils causes the formation of poisons, or that any unfavorable chemical reaction occurs therefrom.

3. That any competitor of respondents is not longer in business, or is of doubtful solvency or financial responsibility, if such statements are untrue.

4. That respondents' cooking utensils have been endorsed by any competent health authorities, if such statements are untrue.

5. That the use of respondents' utensils will effect a saving in medicine, or will result in decreasing the quantity of needed medicine, or in less illness, or will effect any greater monetary saving on food than other similar recognized modern methods of cooking.

6. That the use of respondents' cooking utensils constitutes a cooking method especially conducive to good health, or any more conducive to health than the use of other similar recognized modern methods or utensils.

7. That the preparation of food in respondents' utensils will aid digestion any more than the preparation of food in other utensils.

8. That ordinary cooking methods in utensils other than respondents' will result in destruction or loss of vitamins and minerals so as to prevent the consumer from receiving his minimum requirements.

9. That the use of respondents' cooking utensils will retain the minerals and vitamins of food cooked therein to a greater extent than will utensils sold by respondents' competitors which embrace the use of similar recognized modern methods of cooking.

10. (a) That calcium gives vitality.

(b) That magnesium will prevent or relieve constipation.

(c) That iodine will keep cells active.

(d) That sulphur purifies or tones the human system.

(e) That sodium aids digestion or purifies the blood.

(f) That chlorine will cleanse, disinfect, or expel waste from the human body.

(g) That fluorine strengthens the body or builds resistance.

(h) That potassium is a liver activator and creates grace and beauty.

(i) That silicon nourishes the nails, skin or hair.

(j) That manganese increases resistance.

(k) That phosphorus nourishes the brain cells.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: March 14, 1952.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 52-6444; Filed, June 11, 1952; 8:53 a. m.]

[1] Filed as part of the original document.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

EDITORIAL NOTE: In the second sentence of § 141.51 (a) of F. R. Doc. 52-4148, appearing at page 3230 of the issue of Saturday, April 12, 1952, "20 milliliters" has been changed to read "2.0 milliliters".

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter V—Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

SUBPART C—GENERAL DEFINITIONS

DEFINITION OF TERM "NATIONAL"

JUNE 11, 1952.

Section 500.302 is hereby amended to read as follows:

§ 500.302 *National.* (a) The term "national" shall include:

(1) A subject or citizen of, or any person who has been within, a foreign country, whether domiciled or resident therein or otherwise, at any time on or since the "effective date".

(2) Any partnership, association, corporation, or other organization, organized under the laws of, or which on or since the "effective date" had or has had its principal place of business in a foreign country, or which on or since such effective date was or has been controlled by, or a substantial part of the stock, shares, bonds, debentures, notes, drafts, or other securities or obligations of which, was or has been owned or controlled by, directly or indirectly, a foreign country and/or one or more nationals thereof as defined in this section.

(3) Any person to the extent that such person is, or has been, since the "effective date" acting or purporting to act directly or indirectly for the benefit or on behalf of any national of a foreign country.

(4) Any other person who there is reasonable cause to believe is a "national" as defined in this section.

(b) The Secretary of the Treasury retains full power to determine that any person is or shall be deemed to be a "national" within the meaning of this section, and to specify the foreign country of which such person is or shall be deemed to be a national.

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR 1943 Cum. Supp., E. O. 9989, Aug. 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-6116; Filed, June 11, 1952; 12:01 p. m.]

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

SUBPART E—LICENSES AND AUTHORIZATIONS

REVOCATION OF AUTHORIZATION FOR CERTAIN TRANSACTIONS INCIDENT TO IMPORTATIONS FROM DESIGNATED NATIONALS

JUNE 11, 1952.

Section 500.534 is hereby revoked.

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR 1943 Cum. Supp., E. O. 9989, Aug. 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-6115; Filed, June 11, 1952; 12:01 p. m.]

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

SUBPART H—PROCEDURES

CUSTOMS PROCEDURES; MERCHANDISE OF CHINESE OR KOREAN ORIGIN

JUNE 11, 1952.

Section 500.808 is hereby amended by the adoption of certain editorial changes in paragraph (a) and by the deletion of paragraph (e) to read as follows:

§ 500.808 *Customs procedures; merchandise of Chinese or Korean origin.* (a) With respect to merchandise which arrives in the United States from any country after March 7, 1951, and of which merchandise the country of origin is China (except Formosa) or North Korea, collectors of customs after March 7, 1951, shall not accept or allow any:

(1) Entry for consumption (including any appraisement entry or entry of goods imported in the mails, regardless of value, but excluding other informal entries);

(2) Entry for immediate exportation;

(3) Entry for transportation and exportation;

(4) Withdrawal from warehouse;

(5) Transfer or withdrawal from a foreign-trade zone; or

(6) Manipulation or manufacture in a warehouse or in a foreign-trade zone

until either

(i) A specific license pursuant to this chapter is presented, or

(ii) Instructions from the Foreign Assets Control either directly or through the Federal Reserve Bank of New York authorizing the transaction are received.

(b) Whenever a specific license is presented to a collector of customs in accordance with this section, two additional legible copies of the entry, withdrawal or other appropriate document with respect to the merchandise involved shall be filed with the collector of customs at the port where the transaction is to take place. Each copy of any such entry, withdrawal or other appropriate document including the two additional copies shall bear plainly on its face the number of the license pursuant to which it is filed. The original copy of the specific license shall be presented to the collector in respect of each such transaction and shall bear a notation in ink by the licensee or person presenting the license showing the description, quantity, and value of the merchandise to be entered, withdrawn or otherwise dealt with. This notation should be so placed and so written that there will exist no possibility of confusing it with anything placed on the license at the time of its issuance. If the license in fact authorizes the entry, withdrawal or other transaction with regard to the merchandise the collector, or other authorized customs employee, shall verify the notation by signing or initialing it after first assuring himself that it accurately describes the merchandise it purports to represent. The license shall thereafter be returned to the person presenting it and the two additional copies of the entry, withdrawal or other appropriate document shall be forwarded by the collector to the Federal Reserve Bank of New York.

(c) (1) The collector of customs at any port at which merchandise is to be entered or withdrawn pursuant to the terms of a specific license may waive the requirement of presentation of the original copy of such license: *Provided*, That:

(i) The person presenting the entry or withdrawal presents to the collector an affidavit stating:

(*a*) Facts indicating that it would be a hardship for him to present the original copy of the license, and

(*b*) That the entry or withdrawal is one of a large number which are to be made pursuant to the same license, and

(*c*) That all the entries or withdrawals are to be made at the same port; and

(ii) The collector receiving such an affidavit is satisfied that the circumstances in fact warrant the waiver; and

(iii) There is presented to the collector either a photostatic copy of the original license or a copy of the license signed by the officer who issued and signed the original.

(2) If such waiver is granted, the collector shall retain the copy of the license presented to him and shall note on it, or cause to be noted on it, the description, quantity, and value of all merchandise entered or withdrawn from time to time pursuant to the authority therein contained.

(3) When such waiver is granted and all the merchandise authorized to be entered or withdrawn under a specific license has been entered or withdrawn, the copy of the license on file with the collector shall be endorsed to indicate this fact and shall be forwarded to the Federal Reserve Bank of New York. When a license expires, unless it is renewed and the collector is advised of its renewal, any copy thereof which is on file with the collector shall be endorsed to show the expiration and shall be forwarded to the Federal Reserve Bank of New York.

(d) The requirement that two additional copies of each entry or withdrawal be filed in connection with every transaction under a specific license shall remain in effect notwithstanding any waiver of the requirement of presenting the original copy of the license.

(e) Whenever a person shall present an entry, withdrawal or other appropriate document affected by this section and shall assert that no Foreign Assets Control license is required in connection therewith, the collector of customs shall withhold action thereon and shall advise such person to communicate directly with the Federal Reserve Bank of New York to request that instructions be issued to the collector to authorize him to take action with regard thereto.

(f) Articles which are the growth, produce or manufacture of China (except Formosa) or North Korea shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea notwithstanding that they may have been subjected to one or any combination of the following in another country:

1, Grading; 2, testing; 3, checking; 4, shredding; 5, slicing; 6, peeling or splitting; 7, scraping; 8, cleaning; 9, washing; 10, soaking; 11, drying; 12, cooling, chilling, or refrigerating; 13, roasting; 14, steaming; 15, cooking; 16, curing; 17, combining of fur skins into plates; 18, blending; 19, flavoring; 20, preserving; 21, pickling; 22, smoking; 23, dressing; 24, salting; 25, dyeing; 26, bleaching; 27, tanning; 28, packing; 29, canning; 30, labeling; 31, any process similar to any of the foregoing.

(g) Any article wheresoever manufactured shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea, if there shall have been added to such article any embroidery, needle point, petit point, lace or any other article of adornment which is the product of China (except Formosa) or North Korea notwithstanding that such addition to the merchandise may have occurred in a country other than China (except Formosa) or North Korea.

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR 1943 Cum Supp., E. O. 9989, Aug. 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-6114; Filed, June 11, 1952; 12:01 p. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter C—Federal Savings and Loan System

[No. 5250]

PART 141—DEFINITIONS

BAD DEBT RESERVE RECOGNIZED AS PART OF GENERAL RESERVES

JUNE 9, 1952.

Resolved, That, pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1), § 141.7 of the rules and regulations for the Federal Savings and Loan System (24 CFR 141.7) is hereby amended, effective June 12, 1952, by adding the following sentence at the end thereof: "Any amount in a reserve for bad debts, which is exclusively for bad debt losses, shall be deemed to be a part

of the General Reserves and to be a part of the reserve for losses provided in the Charters of Federal associations which have a Charter E or a Charter K."

Resolved further, That, the purpose of this amendment being to recognize that any amount in a reserve for bad debts is a part of the general reserves of a Federal savings and loan association, it is determined that it is of no particular interest to the public and, accordingly, notice and public procedure thereon are unnecessary and, as the amendment does not affect a matter of substance, deferment of the effective date is not required under the provisions of section 4 of the Administrative Procedure Act, and it shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 5, 48 Stat. 132, as amended; 12 U. S. C. 1464)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 52-6450; Filed, June 11, 1952; 8:55 a. m.]

[No. 5251]

PART 144—CHARTER AND BYLAWS

PART 145—OPERATIONS

AUTHORIZATION OF IMMEDIATE CREDITS ON BONUS ACCOUNTS AND THE ABOLITION OF THE BONUS RESERVE

JUNE 9, 1952.

1. *Resolved*, That, pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1), effective June 12, 1952, a new § 144.8 is added at the end of Part 144 of the rules and regulations for the Federal Savings and Loan System (24 CFR 144.8), reading as follows:

§ 144.8 *Amendment of Charter K.* The provisions of this section shall constitute the approval by the Home Loan Bank Board of the proposal by the board of directors of any Federal association that has a Charter K of the following amendments to said Federal association's charter: *Provided*, That such Federal association follows the requirements of section 16 of its charter in adopting such amendments: Amendment of the tenth sentence of section 9 by striking the period at the end thereof and adding: ": *Provided further*, That the association may provide for bonus payments in accordance with section 10 hereof." together with the amendment of section 10 to read as follows: "10. *Payment of bonus on share accounts.* The association may pay a bonus upon its share accounts as authorized by regulations made by the Home Loan Bank Board."

2. Paragraph (c) of § 145.3 of the rules and regulations for the Federal Savings and Loan System (24 CFR 145.3) is amended to read as follows:

§ 145.3 *Bonus on savings accounts.*

* * *

(c) *Bonus operations.* A Federal association that has a Charter not inconsistent with the provisions of this section may credit to the accounts of all members holding bonus accounts in good standing, that amount in the bonus reserve to which they would be entitled if their bonus accounts were withdrawn at the time of such credit, and may transfer to surplus or to other reserves any other amounts in any Reserve for Bonus, and further bonus earnings shall be credited to the accounts of the members thereto entitled.

Resolved further, That, the effect of these amendments being only to permit Federal associations to arrange for the immediate, rather than deferred, credit of certain earned and fully available income to holders of bonus accounts and to permit such Federal associations to discontinue the Bonus Reserve Account and transfer amounts therein to surplus or general reserves, but without altering any existing liability upon outstanding bonus accounts, notice and public procedure under section 4 (a) of the Administrative Procedures Act are unnecessary and, as the amendments affect no substantive change, deferment of the effective date is not required under section 4 (c) of said act, and such amendments shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 5, 48 Stat. 132, as amended; 12 U. S. C. 1464)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 52-6451; Filed, June 11, 1952; 8:55 a. m.]

Subchapter D—Federal Savings and Loan Insurance Corporation

[No. 5252]

PART 163—OPERATIONS

BAD DEBT RESERVE RECOGNIZED AS PART OF FEDERAL INSURANCE RESERVE

JUNE 9, 1952.

Resolved, That, pursuant to Part 108 of the general regulations of the Home Loan Bank Board (24 CFR Part 108) and §167.2 of the rules and regulations for Insurance of Accounts (24 CFR 167.2), §163.11 of the rules and regulations for Insurance of Accounts (24 CFR 163.11) is hereby amended, effective June 12, 1952, by adding the following sentence at the end thereof: "Any amount in a reserve for bad debts, which is exclusively for bad debt losses, shall be deemed to be a part of the Federal Insurance Reserve."

Resolved further, That, the purpose of this amendment being to recognize that any amount in a reserve for bad debts is a part of an insured institution's Federal Insurance Reserve, it is determined that it is of no particular interest to the public and, accordingly, notice and public procedure thereon are unnecessary and, as the amendment does not affect a matter of substance, deferment of the effective date is not required under the provisions of section 4 of the Administrative Procedure Act, and it shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 402, 48 Stat. 1256, as amended; 12 U. S. C. 1725. Interprets and applies sec. 403, 48 Stat. 1257, as amended; 12 U. S. C. 1726)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 52-6449; Filed, June 11, 1952; 8:54 a. m.]

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter C—Mutual Mortgage Insurance

PART 221—MUTUAL MORTGAGE INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING ONE- TO FOUR-FAMILY DWELLINGS

TEMPORARY LIMITATION UPON MAXIMUM AMOUNT OF MORTGAGE

Section 221.30 is hereby amended to read as follows:

§ 221.30 *Temporary limitation upon maximum amount of mortgage.* For the period this section remains in effect, and notwithstanding the provisions of § 221.16, a mortgage insured pursuant to an application received by the Commissioner on or after July 19, 1950, and prior to October 12, 1950, shall not exceed 75 percent of the appraised value of the property, except that with respect to mortgages eligible for insurance under § 221.16(a) the principal amount may exceed 75 percent but shall not exceed 90 percent of $7,000 of such value, plus 65 percent of such value in excess of $7,000, and mortgages eligible for insurance under § 221.16(b) may exceed 75 percent but shall not exceed 90 percent of the appraised value of the property if the mortgagor is the owner and occupant and 80 percent of such value if the mortgagor is the builder: *Provided*, That this section shall not be applicable as to mortgages covering properties in the Territory of Alaska, or any territory or possession outside the continental United States.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., June 6, 1952.

[SEAL] WALTER L. GREENE, *Acting Federal Housing Commissioner.*

[F. R. Doc. 52-6424; Filed, June 11, 1952; 8:47 a. m.]

Subchapter D—Multifamily and Group Housing Insurance

PART 232—MULTIFAMILY HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY HOUSING

LIMITATION UPON MAXIMUM AMOUNT OF MORTGAGE

Section 232.16a (a) is hereby amended to read as follows:

§ 232.16a *Limitation upon maximum amount of mortgage.* (a) For the period this section remains in effect and not-

withstanding the provisions of paragraphs (a) and (b) of § 232.4 a mortgage insured pursuant to an application received by the Commissioner on or after July 19, 1950, and prior to January 12, 1951, shall not involve a principal amount in excess of the sum of 85 percent of that portion of the estimated value of the project which does not exceed $7,000 per family unit and 55 percent of that portion of the estimated value of the project which is in excess of $7,000 per family unit; and a mortgage insured pursuant to an application received by the Commissioner on or after January 12, 1951 shall not involve a principal amount in excess of the sum of 90 percent of that portion of the estimated value of the project attributable to dwelling use which does not exceed $7,000 per family unit and 55 percent of that portion of the estimated value of the project which is in excess of $7,000 per family unit and 90 percent of the estimated value of such part of such property or project as may be attributable to non-dwelling use.

* * * * *

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 207, 48 Stat. 1252, as amended; 12 U. S. C. 1713)

Issued at Washington, D. C., June 6, 1952.

[SEAL] WALTER L. GREENE,
Acting Federal Housing Commissioner.

[F. R. Doc. 52-6425; Filed, June 11, 1952; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Amdt. 9 to Supplementary Regulation 13]

GCPR, SR 13—COKE, COAL CHEMICALS AND COKE OVEN GAS

REFINING AND UPGRADING PLANTS; DISTRIBUTORS' CEILING PRICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 9 to Supplementary Regulation No. 13 to the General Ceiling Price Regulation (16 F. R. 809) is hereby issued.

STATEMENT OF CONSIDERATIONS

Under SR 13 to the GCPR, any material generally produced in and sold from plants refining or upgrading materials from coke oven or tar distillation plants are included in the products covered by the supplementary regulation. In the normal course of business these refining or upgrading plants purchase raw materials from coke oven or tar distillation plants and refine or upgrade them to required specifications. In drafting SR 13 it was thought proper to include such plants (which are comparatively few in number) as a segment of the coal chemical industry. It was not intended, however, to cover materials or end-products which result from reacting mixing or compounding the materials obtained from the coke oven or tar distillation plants with other chemicals. Such compounded materials or end-products properly belong to the chemical field and should be covered under regulations applicable to chemicals. In view of the difficulty of ascertaining just when such material should be regarded as a coal chemical, and in order to eliminate any confusion or uncertainty in the industry as to the applicable regulation, it seems advisable to remove entirely from the coverage of SR 13 refining and upgrading plants which obtain raw materials from coke oven or tar distillation plants.

In order to clarify the status under the regulation of materials produced at these upgrading and refining plants, therefore, and to remove from SR 13 materials which more properly belong in the chemical field, this amendment specifically removes those products produced in plants refining or upgrading raw materials from coke oven or tar distillation plants from the definition of "coal chemicals", section 2 (c) (3). These plants are also taken out of the "distributor" definition in section 2 (i).

Section 3 (d) of SR 13 to the GCPR, as amended, prohibits distributors from charging prices f. o. b. oven or plant which are in excess of the ceiling prices established for such plants unless they purchased the coke or coal chemicals during the base period, in which event they may charge the highest price received during the base period plus any adjustments in the f. o. b. plant price. The effect of this provision has been to give to those distributors who handled the materials during the base period an advantage over those who did not. It appears that this provision has prevented certain distributors from obtaining business which they would normally possess. This amendment, therefore, revised section 3 (d) by eliminating the requirement that distributors, who did not handle the products during the base period, charge prices no higher than the f. o. b. plant ceiling price. Under this amendment, therefore, new distributors may determine their ceiling prices under the provisions of the GCPR without the previous limitation. This amendment will affect only a small group of individuals (the total number of distributors in the industry is relatively small) and will not substantially increase the ceiling price level, but will merely spread the sales, in some cases, among a few additional distributors.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the judgment of the Director of Price Stabilization, the provisions of this amendment to Supplementary Regulation 13 to the General Ceiling Price Regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 13 to the GCPR, as amended, is further amended in the following respects:

1. Section 2 is amended by deleting subparagraph (3) of paragraph (c), so that section 2 (c) will read as follows:

(c) "Coal Chemicals" means any material generally produced in and sold from (1) coke oven plants, except coke and gas, (2) coal tar distillation plants; and, in addition, materials produced from water gas or residuum tar.

2. Section 2 (i) is amended by deleting the words "or plants refining or upgrading materials obtained from coke oven tar distillation plants", so that paragraph (i) will read as follows:

(i) "Distributor" means any person who purchases for resale, coke and/or coal chemicals at or for delivery from coke oven or tar distillation plants, and resells the same without physical handling; it includes any person acting as the agent of a distributor in the sale of such materials.

3. Section 3 (d) is revised to read as follows:

(d) If a distributor purchased coke or coal chemicals from coke oven or tar distillation plants during the producer's base period, and resold such coke or coal chemicals he may charge the highest price, or prices, he received for such coke or coal chemicals during that base period plus any adjustments in the producer's price authorized by this regulation or other action of the Office of Price Stabilization. If, however, a distributor did not purchase and resell a particular item of coke or coal chemicals during the producer's base period, he shall determine his ceiling prices for that item under the provisions of the GCPR.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 9 to Supplementary Regulation 13 to the General Ceiling Price Regulation shall become effective June 14, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 11, 1952.

[F. R. Doc. 52-6517; Filed, June 11, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 2 to Supplementary Regulation 89]

GCPR, SR 89—CEILING PRICES FOR SALES BY WHOLESALERS AND DEALERS OF BALER AND BINDER TWINE

ALTERNATIVE CEILING PRICES FOR DEALERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment to to Supplementary Regulation 89 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides dollars-and-cents ceiling prices for dealers in domestically manufactured baler and binder twine who are unable to recalculate their ceiling prices under Supplementary Regulation 89 to the General Ceiling Price Regulation. In addition, dealers who are able to recalculate their ceiling prices according to the method originally provided in SR 89 may elect to use these dollars-and-cents ceiling prices instead of making recalculations.

Prior to this amendment, dealers in baler and binder twine were permitted to recalculate their ceiling prices under section 7 of SR 89 by applying to their supplier's list price their "permitted percentage mark-up", using their last representative sale made during the period April 1, 1950 through June 24, 1950. This method of recalculation has proved difficult for dealers whose records are incomplete or otherwise inadequate. For many dealers it has been necessary to apply to the Director for the establishment of revised ceiling prices under section 11 and await the establishment of these prices before they sell. A situation has resulted in which, with the selling season at hand, many dealers are uncertain about their ceiling prices, whereas others do not have ceiling prices, and the flow of twine to the farmer is threatened. This amendment is issued to meet this situation.

A new section 7 (b), is added which permits a dealer to use the dollars-and-cents prices set out in Table I instead of recalculating according to the method formerly provided in section 7. The dealer may, however, still avail himself of the method formerly provided, that method having been retained in the present section 7 (a). Dealers who are unable to recalculate their ceiling prices according to the method originally provided were formerly required to apply to the Director under section 11. These dealers may no longer use section 11, but must, if they do not wish to use their GCPR ceiling prices, use the prices set out in section 7 (b).

The prices set out in Table I reflect a markup of approximately 16 percent over manufacturers' current list prices for baler and binder twine. On the basis of information presently available to the Agency, it is the judgment of the Director that these prices represent an average pre-Korean dealer markup and are generally fair and equitable.

Inasmuch as the dealers' selling season is at hand, it is not practical to delay the issuance of this amendment pending the issuance of a tailored regulation. The Director will, prior to November 1, 1952, the end of the selling season, re-examine the prices herein provided and take whatever action is deemed necessary at that time.

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

Supplementary Regulation 89 to the General Ceiling Price Regulation, as amended, is further amended in the following respects:

1. Section 7 is amended to read as follows:

SEC. 7. *Ceiling prices for dealers*—(a) *How dealers recalculate their ceiling prices.* If you are a dealer in domestically manufactured baler or binder twine and your manufacturer-supplier changes his price pursuant to CPR 22 or your wholesaler-supplier changes his price pursuant to SR 29 to the GCPR or to this supplementary regulation, whichever regulation is applicable, you recalculate your ceiling price by applying to your supplier's current list price your "permitted percentage markup." "Permitted percentage markup" means the percentage markup which your selling price, f. o. b. your place of business, for the last representative sale made during the period April 1, 1950 through June 24, 1950, yielded over the list price which your supplier had in effect at the time you made the sale. A representative sale is one made at the price at which you sold a customary quantity of twine to your largest number of purchaser, during that period. In recalculating your ceiling price you must apply your "permitted percentage markup" to your supplier's current list price expressed f. o. b. the same point as the list price you used in computing your "permitted percentage markup." You shall apply to your ceiling price the provisions of section 12 with regard to discounts, terms, and conditions of sale.

(b) *Alternative ceiling prices for dealers.* If you are a dealer in domestically manufactured baler or binder twine and do not wish to use paragraph (a) of this section or if you are unable to use paragraph (a) to recalculate your ceiling price, your ceiling price per bale is the applicable price listed in Table I. The prices set out in Table I are f. o. b. your place of business and are exclusive of discounts.

TABLE I

Baler twine (per 40 lb. bale)		Binder twine (per 50 lb. bale)		
Standard	New Holland Black	500 ft./lb.	550 ft./lb.	600 ft./lb.
$18.30	$18.60	$18.00	$19.10	$21.40

2. Section 11 is amended to read as follows:

SEC. 11. *Wholesalers who cannot recalculate under other sections.* (a) If you are a wholesaler of domestically manufactured baler or binder twine and claim that you are unable to recalculate your ceiling price under any other section of this supplementary regulation, you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., for a revision of your ceiling price. This application shall contain to the extent available the following information: An explanation of why you are unable to recalculate your ceiling price under any other section of this supplementary regulation; a description of the twine, including the type of twine, brand name, if any, and feet per pound; the nature of your business, such as retailer of farm implements and equipment, wholesaler of hardware and farm equipment, etc., and classes of purchasers to whom the commodity is to be sold; the list prices applicable to each f. o. b. point which you, and each f. o. b. point which your suppliers, had in effect during the period April 1, 1950 through June 24, 1950, together with all the discounts, terms and conditions of sale offered by you and your suppliers; your supplier's current list price and all applicable discounts; your proposed ceiling price and the method used by you to determine it; the discounts, terms and conditions of sale you will offer to each class of purchaser; a copy of the price list for twine, if any, you will issue; the f. o. b. point at which you wish to have your ceiling price established and the reason you believe the proposed price is in line with the level of ceiling prices otherwise established by this supplementary regulation.

(b) You may not sell the twine at a price higher than your existing ceiling price until the Director of Price Stabilization, in writing, notifies you of your revised ceiling price.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 2 to Supplementary Regulation 89 to the General Ceiling Price Regulation is effective June 13, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 10, 1952.

[F. R. Doc. 52-6509; Filed, June 10, 1952; 5:05 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 104]

GCPR, SR 104—ESTABLISHING OF RATES FOR NEW SERVICES RENDERED BY CONTRACT CARRIERS OF PETROLEUM PRODUCTS PURSUANT TO TEMPORARY AUTHORITIES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 104 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation enables contract carriers of bulk petroleum products to establish ceiling rates for operations conducted pursuant to temporary operating authority issued by the Interstate Commerce Commission or by an appropriate State regulatory body, to engage in contract carriage of a type

or over routes or in areas which their permanent authority does not permit.

The Interstate Commerce Commission and several of the State regulatory commissions issue to contract motor carriers temporary authority permitting such carriers to perform contract carrier operations for a temporary period only. The issuance of such authority is based upon a showing that other transportation services are not available. The various commissions issuing temporary authorities usually require the carrier to institute the service covered by the temporary authority within four or five days after the issuance of the Order granting the authority. Under the General Ceiling Price Regulation, there is no provision pursuant to which a carrier receiving temporary authority may establish ceiling rates without first obtaining the approval of OPS. The delay incurred by proceeding in this manner when there is an urgent need for the transportation which is the subject of a temporary authority imposes a hardship on both the carrier and the public.

As a result of the recent oil strike, an unprecedented demand for the transportation of petroleum products, in bulk, in tank vehicles, was created. The Interstate Commerce Commission and State regulatory bodies, as a consequence of the strike, have been requested to issue an ever increasing number of temporary authorities in order to assure the continued flow of petroleum products to areas where such products are in short supply. Unless existing procedures for the establishing of rates for new services are modified so as to allow contract carriers of petroleum products in bulk to perform service pursuant to temporary authorities without awaiting specific approval of ceiling rates by OPS, wasteful delays will be incurred before such carriers will be enabled to supply the much needed service. If the service is provided without the approval of OPS, both the carriers and shippers utilizing such service will be in violation of the provisions of the General Ceiling Price Regulation. Accordingly, this supplementary regulation provides that contract carriers engaged in the transportation of petroleum products, in bulk, in tank vehicles, under temporary operating authority, may establish their ceiling rates for operations under that authority by filing with OPS copies of the schedules of minimum rates and charges which have been filed with another appropriate regulatory body. After making such filing, the rates so filed become the lawful ceiling rates for those operations for a period of 60 days from the date of issuance of the temporary operating authority or until the termination of that authority, whichever is earlier. If the temporary authority is issued for a period in excess of 60 days, ceiling rates established under this supplementary regulation shall apply only to service performed during the first 60 days of such authority. Ceiling rates for service performed after such 60-day period must be established in accordance with the provisions of the General Ceiling Price Regulation.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Establishing ceiling rates for temporary authority operations.
3. Relation to the General Ceiling Price Regulation.
4. Expiration date.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation enables motor contract carriers of petroleum products, in bulk, in tank vehicles, to establish ceiling rates for operations conducted pursuant to temporary operating authority issued by the Interstate Commerce Commission or by an appropriate State regulatory body.

SEC. 2. *Establishing ceiling rates for temporary authority operations.* A contract carrier who obtains temporary operating authority from the Interstate Commerce Commission or from an appropriate State regulatory body to transport petroleum or petroleum products, in bulk, in tank vehicles, for a limited period of time, may establish ceiling rates for the operation covered by such temporary authority by filing with the District Office of the OPS for the district in which the home office of the carrier is located, simultaneously with the filing made with the appropriate regulatory body, a copy of the schedule of minimum rates and charges filed with such regulatory body. The rates so filed shall be the ceiling rates for the service covered by the temporary authority for a period of 60 days from the date of issuance of the temporary operating authority or until the termination of that authority, whichever is earlier.

SEC. 3. *Relation to the General Ceiling Price Regulation.* Contract motor carriers subject to this supplementary regulation shall be subject to all provisions of the General Ceiling Price Regulation not inconsistent with the provisions of this supplementary regulation.

SEC. 4. *Expiration date.* The authority granted by this supplementary regulation shall terminate on July 1, 1952.

Effective date. This Supplementary Regulation 104 to the General Ceiling Price Regulation shall become effective as of April 15, 1952.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 10, 1952.

[F. R. Doc. 52-6510; Filed, June 10, 1952; 5:05 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[Interpretation 5]

INT. 5—AUTHORIZED ADJUSTMENTS IN SALARIES AND OTHER COMPENSATION UNDER GENERAL SALARY ORDER 6, AS AMENDED

Correction

In the first line of question 2.3 of F. R. Doc. 52-4338, appearing at page 3347 of the issue for Tuesday, April 15, 1952, "shall be" should read "shall not be".

Subchapter B—Wage Stabilization Board

[General Wage Regulation 11, Area Ceiling Determination 2]

GWR 11—AGRICULTURAL LABOR

ACD 2—COTTON PICKING IN DESIGNATED COUNTIES IN CALIFORNIA

RESCISSION

Pursuant to the Defense Production Act of 1950, as amended (64 Stat. 816), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 11 (16 F. R. 4938), and Wage Stabilization Board Resolutions 37 and 41 (16 F. R. 8954), Area Ceiling Determination No. 2 is hereby rescinded.

STATEMENT OF CONSIDERATIONS

Area Ceiling Determination No. 2, as amended, issued by the 12th Regional Wage Stabilization Board, San Francisco, California, on November 30, 1951, established ceiling rates for picking upland cotton in Kern, Kings, Tulare, Fresno, Madera, and Merced Counties, State of California, and by its terms was to continue until such time as modified by the Wage Stabilization Board. The Wage Stabilization Board has determined to modify said Area Ceiling Determination No. 2, as amended, to provide for its termination because the season for cotton picking in the area has come to an end until the fall of 1952.

REVOCATORY PROVISION

Authorization to pay area ceiling rates as provided herein for picking upland cotton in Kern, Kings, Tulare, Fresno, Madera, and Merced Counties, State of California is hereby terminated, effective this date.

(Sec. 704, 64 Stat. 816, 65 Stat. 132)

Issued: May 8, 1952.

IRVING BERNSTEIN,
Regional Chairman, 12th Regional Board, San Francisco, Calif.

[F. R. Doc. 52-6531; Filed, June 11, 1952; 11:32 a. m.]

[General Wage Regulation 11, Area Ceiling Determination 4]

GWR 11—Agricultural Labor

ACD 4—Peaches, Pears, Apples and All Fruits in Mesa and Delta Counties in Colorado

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), E. O. 10161 (15 F. R. 6105), E. O. 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739) General Wage Regulation No. 11 (16 F. R. 4938), and Wage Stabilization Board Resolution 37 (16 F. R. 8954) this Area Ceiling Determination No. 4 to GWR–11, is hereby issued.

STATEMENT OF CONSIDERATIONS

General Wage Regulation 11 authorizes employers of agricultural labor to increase their base wage rates without Board approval up to certain specified levels, and by Amendment No. 1 (17 F. R. 3794) authorizes permissible increases without Board approval to the 1950 base rate, plus 15 percent, or the 1951 base rate, plus 5 percent. By Resolution 37, as amended, the National Wage Stabilization Board has authorized the Regional Board for the Eleventh Region to establish maximum wage ceilings for specific agricultural operations in defined areas. Upon the basis of requests from interested parties for the establishment of area ceiling wage rates for agricultural labor engaged in cultivating, growing, harvesting, packing, handling, and shipping peaches, pears, apples and all fruits in Mesa and Delta Counties, Colorado, public hearings were held at Palisade, Mesa County, Colorado on May 8, 1952, before a tri-partite panel of the Eleventh Regional Board to assist the Regional Board in determining whether area ceiling wage rates for agricultural labor for the fruit crops in the counties specified should be established. Agricultural employers, employees and other interested persons in the area were given an opportunity to appear and testify at such hearing and to submit written information to the panel. Based upon information and data obtained in this hearing, the recommendation of the tripartite panel to the Regional Board and from information and data available to it from other sources, the Regional Board has determined that an area ceiling establishing maximum permissible wage rates for agricultural labor which would be applicable to all employers, labor contractors and employees engaged in these agricultural operations in the Counties of Mesa and Delta, State of Colorado, will serve to stabilize agricultural wages.

In the judgment of the Regional Board the following determination is generally fair and equitable and is necessary to meet the unusual and emergency conditions for the handling of these perishable crops and will effectuate the purposes of Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Areas, operations and classes of employees covered.
2. Area ceiling wage rates.
3. Administration.

Authority: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, 65 Stat. 132. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp., E. O. 10233, Apr. 21, 1951, 16 F. R. 3503, 3 CFR 1951 Supp.

Section 1. *Areas, operations and classes of employees covered.* This area ceiling determination shall be applicable to all employers and labor contractors of agricultural labor and to agricultural employees hired for the cultivating, growing, harvesting, packing, handling and shipping peaches, pears, apples and all fruits during the crop year of 1952 in the counties of Mesa and Delta, State of Colorado.

Sec. 2. *Area ceiling wage rates.* An employer covered by this area ceiling determination may, without further approval, pay agricultural labor at any rate up to but not exceeding the following:

(a) $1.00 per hour for thinning, cultivating and general fruit farm work and packing shed work.

(b) Pruning fruit trees $1.25 an hour.

(c) Piece rates at 12 cents per bushel for picking full bushels of all fruits.

(d) Rates for orchard foremen and other supervisors to be paid from $1.25 per hour to $2.35 per hour scaled according to the ability, past experience and responsibility delegated to the foreman or supervisor.

(e) A bonus for harvesting labor only of 10 cents per hour, if paid on an hourly basis, or 2 cents per bushel for fruit picking, if paid on a piece rate basis, to be paid only to workers who remain with the employer through the harvest season.

(f) Actual transportation costs and subsistence, if paid on a grower cooperative basis, to bring agricultural workers for these fruit crops into the two-county area from points outside of the area, either in Colorado or adjoining states. This does not include any daily transportation to or from work within the area.

(g) No employer covered by this area ceiling determination shall pay any employee engaged in any of the operations listed in Sec. 1 at a rate in excess of the applicable maximum wage rate designated in paragraphs (a), (b), (c), (d), (e) and (f) of this section, except:

(1) That he may not be required to pay less than the rate he paid for the operations covered herein during the most recent crop season occurring before June 25, 1950; and

(2) That he may not be required to pay less than the rate permissible under the self-administering provisions of GWR 11, as amended; and

(3) That he may pay more than the rate specified in paragraphs (a), (b), (c), (d), (e) and (f) of this section if he has been granted an adjustment pursuant to section 3 (b) of this determination.

Sec. 3. *Administration.* (a) This area ceiling determination will be administered by the Wage Stabilization Board, Region 11, New Customhouse Building, Denver, Colorado.

(b) An employer whose agricultural operations are covered by this area ceiling determination may request the Regional Board for individual adjustments in the area ceiling rates designated in section 2 of this determination. The employer must establish that the proposed adjustment is needed because of special conditions which may prevent his employees from earning amounts which are fairly comparable to their earning capacity under normal circumstances in the area. The Regional Board may grant such adjustments as it feels warranted from the information submitted by the applicant and from any investigation it may make. The employer may be required to post a notice of any individual adjustment in the area ceiling rate which may be granted him.

(c) Any violation of this area ceiling determination constitutes a violation of the Defense Production Act of 1950, as amended, and may subject the violator to the penalties prescribed therein, and to the Board's Enforcement Resolution, adopted September 20, 1951 (16 F. R. 10018).

Sec. 4. *Effective date.* This determination shall become effective on May 24, 1952, and shall continue throughout the entire period of the 1952 fruit harvest in Mesa and Delta Counties, Colorado, or until such time as modified by the Wage Stabilization Board.

Issued: May 17, 1952.

Reworded: May 27, 1952.

Edward J. Allen,
Chairman, 11th Regional Board,
Denver, Colo.

[F. R. Doc. 52–6530; Filed, June 11, 1952; 12:16 p. m.]

Subchapter C—Railroad and Airline Wage Board

[Wage Adjustment Order 2]

WAO2—Wage Adjustments for Operating Railroad Employees

STATEMENT OF CONSIDERATIONS

The settlements reached between the railroad carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees and their employees represented by the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, and the Order of Railway Conductors in their agreements of May 23, 1952 are the last of a series of agreements negotiated by representatives of railroad operating employees and the Nation's Class I carriers during the period since the Report to the President by Emergency Board No. 81, June 15, 1950. These basic agreements include:

Switchmen's Union of North America and carriers represented by the Western Carriers' Conference Committee dated September 21, 1950.

Railroad Yardmasters of America and carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated November 2, 1950.

Brotherhood of Railroad Trainmen and carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated May 25, 1951.

Agreements of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen and the Order of Railway Conductors with carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated May 23, 1952.

The agreements involving the Switchmen's Union of North America and the Railroad Yardmasters of America became effective prior to the institution of wage and salary controls pursuant to the Defense Production Act of 1950. The agreement of May 25, 1951 between the Brotherhood of Railroad Trainmen and the three Carriers' Conference Committees was approved by the Wage Stabilization Board on June 12, 1951. The agreements of May 23, 1952 involving respectively, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen and the Order of Railway Conductors with the three Carriers' Conference Committees were approved by the Railroad and Airline Wage Board and the Economic Stabilization Administrator on May 28, 1952.

It is recognized, as pointed out in the report of the Temporary Emergency Railroad Wage Panel and in Wage Adjustment Order No. 1 issued April 24, 1951 by the Economic Stabilization Administrator approving the agreement of March 1, 1951 between the carriers and the nonoperating employees represented by the Fifteen Cooperating Railway Labor Organizations, that the pattern of bargaining in the railroad industry is such that a number of the smaller carriers and the representatives of their employees do not customarily participate in the national handling of railroad wage cases. These carriers either through the execution of "standby agreements" or by practice and custom await the outcome of the national negotiations before making adjustments in wages or working conditions on their individual properties.

It is further recognized that existing stabilization regulations require the prior approval of adjustments in wages, salaries and other compensation and that the submission of separate petitions to effectuate adjustments similar to those provided in the agreements enumerated above would, at this juncture, be onerous and time consuming to all parties involved. Accordingly, to facilitate the prompt and orderly disposition of wage adjustments for operating railroad employees and to avoid intra-carrier and inter-carrier wage and salary inequities this order is hereby issued.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Adjustments permitted by this order.
3. Permissive character of the adjustments.
4. Coverage.
5. Maintenance of records.
6. Finding and certification.

AUTHORITY: Sections 1 to 6 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat., 803, as amended; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Definitions.* The words "wages, salaries and other compensation" as used in this order mean "wages, salaries and other compensation" as defined in section 702 (e) of the Defense Production Act of 1950, as amended.

SEC. 2. *Adjustments permitted by this order.* Adjustments in wages, salaries and other compensation of employees in the crafts or classes of railroad operating or transportation employees included in Interstate Commerce Commission Reporting Divisions 105 through 128 inclusive which do not exceed as to the timing, amount, and nature of payment the adjustments provided in the following agreements are permitted by this order:

Switchmens' Union of North America and carriers represented by the Western Carriers' Conference Committee dated September 21, 1950.

Railroad Yardmasters of America and carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated November 2, 1950.

Brotherhood of Railroad Trainmen and carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated May 25, 1951.

Agreements of the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen and the Order of Railway Conductors with carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees dated May 23, 1952.

Such adjustments may be put into effect without prior notice or application to the Chairman of the Railroad and Airline Wage Board and without his specific approval: *Provided,* (a) That it has been the custom and practice to make adjustments generally similar to those received by railroad operating employees as the result of national agreements and (b) that any general wage adjustments made since the general wage increase of 10 cents per hour obtained by railroad operating employees in their national agreements effective October 16, 1948 shall be offset against the adjustments authorized by this order.

SEC. 3. *Permissive character of adjustments.* Nothing in this order shall be construed as directing or ordering any carrier to grant any adjustments in wages, salaries and other compensation; but adjustments within the limits declared permissible by this order may be made without further approval.

SEC. 4. *Coverage.* This order applies only to employees and carriers subject to the jurisdiction of the Railroad and Airline Wage Board.

SEC. 5. *Maintenance of records.* Where adjustments in wages, salaries and other compensation are made in accordance with this order carriers shall keep available for inspection by appropriate government agencies records of such adjustments sufficient to demonstrate compliance with this order.

SEC. 6. *Finding and certification.* The Board finds that all adjustments in wages, salaries and other compensation permitted by this order to be made without prior specific approval of the Board are consistent with standards now in effect, established by or pursuant to law, for the purpose of controlling inflationary tendencies, and so certifies.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Signed: June 3, 1952.

NELSON M. BORTZ,
Chairman,
Railroad and Airline Wage Board.

Approved: June 5, 1952.

ROGER L. PUTNAM,
Administrator,
Economic Stabilization Agency.

[F. R. Doc. 52-6529; Filed, June 11, 1952; 11:30 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 4, Amdt. 3 to Schedule B]

RR 4—MOTOR COURTS

SCHEDULE B—SPECIFIC PROVISIONS RELATING TO INDIVIDUAL DEFENSE-RENTAL AREA OR PORTIONS THEREOF

FLORIDA

Effective June 12, 1952, Rent Regulation 4 is amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 9th day of June 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

A new item 13 is added to Schedule B of Rent Regulation 4—Motor Courts, reading as follows:

13. *Provisions relating to the Key West, Florida, Defense-Rental Area (Item 58 of Schedule A).* (a) The provisions of section 55 and all references to said section where they appear in this regulation are inapplicable.

(b) For any housing accommodation which had a maximum rent established under section 55, the maximum rent shall be established under the other applicable provision or provisions of this regulation.

(c) All provisions of this regulation insofar as they are applicable to the Key West, Florida, Defense-Rental Area are hereby amended to the extent necessary to carry into effect the provisions of this item 13 of Schedule B.

[F. R. Doc. 52-6447; Filed, June 11, 1952; 8:54 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

Bureau of Air Operations

[14 CFR Part 241]

[Economic Regs. Draft Release 54]

FILING OF REPORTS BY CERTIFICATED AIR CARRIERS

NOTICE OF PROPOSED RULE-MAKING

JUNE 10, 1952.

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Air Operations, notice is hereby given that the Bureau has under consideration amendment of Part 241 of the Economic Regulations (14 CFR 241) for the purpose of condensing and otherwise modifying the present reporting requirements for certificated air carriers. The objective is to reduce the burden of both preparing and administering the Form 41 reports. It is proposed to make these changes effective July 1, 1952.

The Bureau proposes changes in the reporting requirements for certificated carriers and modifications of CAB Forms 41 and 41 (a) along the following lines:

1. The following modifications will be made in each schedule:

a. Schedule C—Quarterly Flight and Traffic Statistics. The reporting frequency for this schedule would be changed from a month to a calendar quarter period.

The same requirements would apply to the quarterly report as now apply to the monthly Schedule C. However, data with respect to operating performance factor and number of employees would be deleted from the quarterly report. In addition, the requirement for filing IBM cards would be amended to exclude cards except for items 8 through 28 and 40. The later cards would continue to be submitted for each page of quarterly Schedule C.

b. Present Schedule C–1—Revenue Passenger Miles. The present schedule C–1 would be discontinued. Family plan data presently reported on this schedule would be reported as a footnote on the revised Schedule C–1 discussed below.

c. Revised Schedule C–1—Monthly Flight and Traffic Statistics. A separate report would be filed each month covering all scheduled services, all non-scheduled services and all services for each operation, in the form prescribed in the attached sample of a proposed report, entitled "Monthly Flight and Traffic Statistics". Except as provided on the proposed schedule for revenue aircraft miles and aircraft utilization data, no breakdown would be required by type of aircraft or secondary classes of services.

IBM cards would be filed for items 8 through 28 and for each class of service and aircraft type composing item 8. The line numbers on the present Schedule C and the proposed quarterly Schedule C are utilized as IBM codes. To preserve consistency of codes between monthly and quarterly reports for like items, the same codes are used on the two schedules. Similarly, in order to preserve the usefulness of the forms in pegboard operations, like items on the monthly and quarterly reports have been placed in identical physical positions on the proposed forms. The designations for classes of service and aircraft types as provided for on pages 21–37 of the CAB Form 41 Manual would be used for identifying data to the extent required in the proposed monthly report.

d. Schedule B–1—Incidental Revenues; Non-operating Income and Expense. The instructions for this schedule would be modified to require a breakdown of total income taxes shown on Schedule B as between excess profits taxes and other taxes based on income.

2. The present Form 41 (a) interim financial report for the first two months of each quarter would be modified to include: (1) Interim Balance Sheet, Schedule I; and (2) Interim Statement of Profit and Loss, Schedule II. The present operating statement would be revised to exclude the miscellaneous data by type of aircraft appearing at the bottom of the schedule and to include a summary of non-operating items and a breakdown of income taxes as between excess profits and other income taxes. Samples of the two proposed forms are attached.[1] In order to facilitate pegboard operations, like items on the interim Form 41 (a) profit and loss statement and quarterly Schedule B of Form 41 have been placed in identical physical locations. The proposed revisions in the interim financial statements would in no way alter the requirement in paragraph 2 on page 1–2 of the Manual that air carriers shall keep their accounting books and records on a quarterly basis.

3. The following filing schedule would be established with the requirement that all schedules be mailed (i. e., postmarked) within the specified period following the close of each month and quarter to which the reports are applicable:

Form No.	Schedules	Postmarked within following number of days
41	A, B, B–1, C and C–1	25
41 (a)	I and II	25
41	A–1 through A–6, B–2 through B–9	45
41	A–7 through A–10, B–10, D, E and F	90

This amendment is proposed under the authority of sections 205 (a) and 407 (a) of the Civil Aeronautics Act, as amended (52 Stat. 984, 1000; 49 U. S. C. 425, 487).

Interested persons may participate in the proposed rule-making through the submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before June 19, 1952 will be considered by the Bureau before taking final action on the proposed rule.

By the Bureau of Air Operations.

[SEAL] GORDON M. BAIN, *Director.*

[F. R. Doc. 52–6501; Filed, June 11, 1952; 9:00 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

SMALL TRACT CLASSIFICATION ORDER NO. 336

MAY 23, 1952.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described lands in the Los Angeles land district, embracing approximately 160 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION No. 336

For lease and sale for homesites only:

T. 5 N., R. 2 W., S. B. M.
Sec. 24, NW¼.

The lands are situated in San Bernardino County, California, about six miles from the Village of Lucerne Valley and about twenty miles from the Town of Victorville. They can be reached over a paved road running from Victorville to Lucerne Valley and thence over dirt roads. The general area is one that is used extensively for health and recreational purposes.

2. As to applications regularly filed prior to 9:00 a. m., May 14, 1952, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. This order shall not otherwise become effective to change the status of

[1] Filed as part of the original document.

such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof setting forth in detail all facts relevant to their claims.

5. All of the lands will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

6. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 5.

7. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining 5-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 5.

8. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $10.00 per acre. Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

9. Tracts will be subject to all existing rights-of-way and to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

10. All inquiries relating to these lands should be addressed to the Manager, Los Angeles Land Office, Los Angeles, California.

J. H. FAVORITE,
Acting Regional Administrator.

[F. R. Doc. 52-6418; Filed, June 11, 1952; 8:45 a. m.]

Bureau of Reclamation

EDEN PROJECT, WYOMING

FIRST FORM RECLAMATION WITHDRAWAL

MAY 8, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following-described lands from public entry, under the first form of withdrawal, as provided by section 3 of the Act of June 17, 1902 (32 Stat 388):

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 26 N., R. 105 W.,
Sec. 7, SE¼NE¼;
Sec. 32, NE¼SE¼ and S½SE¼.
T. 24 N., R. 106 W.,
Sec. 32, all.
T. 25 N., R. 106 W.,
Sec. 2, SW¼SW¼.
T. 26 N., R. 106 W.,
Sec. 24, E½NW¼;
Sec. 36, all.

The above areas aggregate 1,560 acres.

G. W. LINEWEAVER,
Acting Commissioner.

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM PINCUS,
Assistant Director.

JUNE 2, 1952.

Notice for Filing Objections to Order Withdrawing Public Lands for the Eden Project, Wyoming

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Wyoming, for use in connection with the proposed Eden Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objections be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

G. W. LINEWEAVER,
Acting Commissioner.

[F. R. Doc. 52-6419; Filed, June 11, 1952; 8:46 a. m.]

YUMA PROJECT, CALIFORNIA

ORDER OF REVOCATION

APRIL 14, 1952.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby revoke Departmental Order of October 19, 1920, insofar as said order affects the following described land: *Provided, however*, That such revocation shall not affect the withdrawal of any other lands by said order, or affect any other orders withdrawing or reserving the land hereinafter described:

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 13 S., R. 12 E.,
Sec. 26, E½.

The above area aggregates 320 acres.

G. W. LINEWEAVER,
Acting Commissioner.

APRIL 14, 1952.

I concur. The records of the Bureau of Land Management will be noted accordingly.

This revocation is made in furtherance of an exchange under section 8 of the act of June 28, 1934, 48 Stat. 1272, as amended by section 3 of the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315f), by which the offered land will benefit a Federal land program. The restoration, therefore, is not subject to the provisions contained in the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, granting preference rights to veterans of World War II and others.

WILLIAM PINCUS,
Assistant Director.

MAY 20, 1952.

[F. R. Doc. 52-6420; Filed, June 11, 1952; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

DIRECTOR, TOBACCO BRANCH

DELEGATION OF AUTHORITY WITH RESPECT TO MARKETING AGREEMENTS AND MARKETING ORDERS GOVERNING THE HANDLING OF TOBACCO

Correction

In F. R. Doc. 52-6178, appearing on page 5170 of the issue for Friday, June 6, 1952, the approval date over the Secretary's signature should read: "Approved: June 3, 1952."

DEPARTMENT OF COMMERCE

National Production Authority

[Suspension Order 13, Docket No. 16]

NATIONAL STEEL PRODUCTS CO. AND C. W. WILD

SUSPENSION ORDER

In the matter of National Steel Products Company and C. W. Wild, respondents, a public hearing was held at Charleston, West Virginia, on May 20, 1952, before the undersigned Hearing Commissioner of the National Production Authority upon a statement of charges made by the General Counsel of the National Production Authority against said respondents, pursuant to the National Production Authority General Administrative Order 16-06 (16 F. R. 8628), dated July 21, 1951, and Implementation 1 to General Administrative Order 16-06 (16 F. R. 8799), redesignated as R. P. 1—Rules of Practice before Hearing Commissioners (16 F. R. 8894); and

The respondents, National Steel Products Company and C. W. Wild, being duly apprised of the specific violations charged and the administrative action which may be taken, they being fully informed of the rules and regulations which govern these proceedings, appeared herein pursuant to timely notice.

The National Production Authority was represented by Joseph J. Saunders, Esquire, of the office of its General Counsel.

Respondents were represented by Robert K. Emerson, Esquire, of Huntington, West Virginia.

The respondent C. W. Wild, Vice President and Treasurer of the corporate respondent, having testified in behalf of the respondents, documentary evidence having been produced, together with certain stipulations of fact;

Verbal arguments of counsel were heard and the case taken under advisement; and

The Hearing Commissioner having considered the record and arguments of counsel, being fully advised in the premises, makes the following

Findings of fact. 1. During the calendar quarters commencing October 1, 1951, and January 1, 1952, the respondent, National Steel Products Company, on ten (10) separate occasions, accepted deliveries of 13½-gage carbon steel spring wire, an item of steel listed in Schedule I of CMP Regulation 1. Upon each such receipt, its inventory of 13½-gage carbon steel spring wire became in excess of the quantity of the said item necessary to meet its deliveries, supply its services, or perform its operations during the succeeding 45-day period on the basis of its then currently scheduled method and rate of operation. The acceptance of these deliveries resulted in an average inventory of this item which, when related to production requirements for succeeding 45-day periods, was excessive by 146,000 pounds, or 73 tons.

2. During the calendar quarters commencing October 1, 1951, and January 1, 1952, National Steel Products Company, on nine (9) separate occasions, accepted deliveries of 14-gage carbon steel spring wire, an item of steel listed in Schedule I of CMP Regulation No. 1. Upon each such receipt, its inventory of 14-gage carbon steel spring wire became in excess of the quantity of the said item necessary to meet its deliveries, supply its services, or perform its operations during the succeeding 45-day period on the basis of its then currently scheduled method and rate of operation. The acceptance of these deliveries resulted in an average inventory of this item which, when related to production requirements for succeeding 45-day periods, was excessive by 305,000 pounds, or 152.5 tons.

3. During the calendar quarters commencing October 1, 1951, and January 1, 1952, National Steel Products Company, on four (4) separate occasions, accepted deliveries of 17-gage carbon steel spring wire, an item of steel listed in Schedule I of CMP Regulation No. 1. Upon each such receipt, its inventory of 17-gage carbon steel spring wire became in excess of the quantity of the said item necessary to meet its deliveries, supply its services, or perform its operations during the succeeding 45-day period on the basis of its then currently scheduled method and rate of operation. The acceptance of these deliveries resulted in an average inventory of this item which, when related to production requirements for succeeding 45-day periods, was excessive by 101,000 pounds, or 50.5 tons.

4. That certain written stipulations made and entered into May 20, 1952, between Attorneys Saunders and Emerson, received in evidence as Exhibit 2, fully support each of the preceding findings.

5. C. W. Wild, managing and directing the affairs of National Steel Products Company as Vice President and Treasurer, during the time receipts of carbon steel spring wire pertinent herein were accepted, had knowledge of, supervised, directed, and participated in the acts which resulted in the accummulation of excessive inventories of 13½-, 14-, and 17-gage carbon steel spring wire by National Steel Products Company.

6. The entire record is devoid of evidence that during the period here in question the respondents have not acted openly and in good faith, nor is there evidence that their failures to comply with CMP Regulation No. 2 resulted from any willful or fraudulent conduct nor from any misrepresentation.

Conclusions of law. From the foregoing findings of facts the Commissioner concludes that:

During the calendar quarters commencing October 1, 1951, and January 1, 1952, the National Steel Products Company and C. W. Wild committed acts prohibited by section 3 (a) of CMP Regulation No. 2, dated May 10, 1951 (16 F. R. 4370), as amended October 12, 1951 (16 F. R. 10489), in that National Steel Products Company accepted deliveries of 13½-, 14-, and 17-gage spring wire, items of carbon steel controlled material, on twenty-three (23) separate occasions upon receipt of which its inventories of such items became in excess of the quantities necessary to meet its deliveries, supply its services, and perform its operations during succeeding 45-day periods on the basis of its then currently scheduled method and rate of operation. C. W. Wild committed, directed, supervised, and participated in the commission of such acts. The receipts of these items thus accepted were in violation of the said provisions of CMP Regulation No. 2 and resulted in excessive inventories amounting to 552,000 pounds, or 276 tons, of carbon steel controlled material.

In order to correct excess inventories of carbon steel controlled material occasioned by the unauthorized receipt of such items,

It is accordingly ordered:

1. That all allocations and allotments of carbon steel which have been or may be granted to the National Steel Products Company, its successors and assigns, or which have been or may be sought on its behalf by C. W. Wild for use during the calendar quarter commencing April 1, 1952, be reduced by 420,000 pounds, or 210 tons.

2. That all allocations and allotments of carbon steel which have been or may be granted to the National Steel Products Company, its successors and assigns, or which have been or may be sought on its behalf by C. W. Wild for use during the calendar quarter commencing July 1, 1952, be further reduced by 66,000 pounds, or 33 tons.

3. That all allocations and allotments of carbon steel which have been or may be granted to the National Steel Products Company, its successors and assigns, or which have been or may be sought on its behalf by C. W. Wild for use during the calendar quarter commencing October 1, 1952, be further reduced by 66,000 pounds, or 33 tons.

4. That the National Steel Products Company, and C. W. Wild, their successors and assigns, be and are hereby prohibited, during each of such periods, from acquiring any items of carbon steel in excess of their carbon steel allocations and allotments as so reduced.

5. That the National Steel Products Company and C. W. Wild, their successors and assigns, be and are hereby prohibited, so long as the Defense Production Act of 1950, as amended, or as it may hereafter be amended or extended, remains in effect, from accepting delivery of any item of controlled material if the inventory of National Steel Products Company of such materials is, or by such

receipt would then be, in violation of the provisions of CMP Regulation No. 2, as amended October 12, 1951, or as it may be hereafter amended.

Issued this 28th day of May 1952 at Washington, D. C.

NATIONAL PRODUCTION AUTHORITY,
By SAMUEL H. CROSBY,
Hearing Commissioner.

[F. R. Doc. 52-6544; Filed, June 11, 1952; 12:11 p. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3451]

OZARK AIRLINES, INC.; SERVICE TO ALTON-WOOD RIVER, ILLINOIS

NOTICE OF ORAL ARGUMENT

In the matter of the application by Civic Memorial Airport Authority for amendment of the certificate of public convenience and necessity of Ozark Airlines, Inc. pursuant to section 401 (h) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on June 26, 1952 at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 3, 1952.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 52-6457; Filed, June 11, 1952; 8:55 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 83, Section 2, Special Order 16, Amdt. 3]

KAISER-FRAZER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. Special Order 16 established a schedule of prices and charges pursuant to section 2 of Ceiling Price Regulation 83 for sellers of new passenger automobiles manufactured by the Kaiser-Frazer Corporation. Subsequent to the issuance of Special Order 16 the manufacturer's wholesale prices to dealers have been reduced on new Henry J and Allstate passenger automobiles. Special Order 16 is, therefore, amended to establish seller's prices and charges which will reflect the decreased wholesale prices on 1952 models of new Henry J and Allstate passenger automobiles manufactured by Kaiser-Frazer Corporation.

Amendatory provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this amendment to Special Order 16 is hereby issued.

1. The list of basic prices for Henry J and Allstate passenger automobiles in paragraph one is amended to read as follows:

HENRY J PASSENGER AUTOMOBILES

Henry J Vagabond	$1,238.63
Henry J Vagabond-DeLuxe	1,373.44
Henry J Corsair	1,331.57
Henry J Corsair-DeLuxe	1,466.38

ALLSTATE PASSENGER AUTOMOBILES

Allstate—4-Cylinder (with circular tail lamps)	$1,238.63
Allstate—6-Cylinder (with circular tail lamps)	1,373.44
Allstate—4-cylinder (with tail lamps in rear fender fins)	1,331.57
Allstate—6-cylinder (with tail lamps in rear fender fins)	1,466.38

Effective date. This amendment to Special Order 16 shall become effective June 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JUNE 11, 1952.

[F. R. Doc. 52-6516; Filed, June 11, 1952; 4:00 p. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 17—DPAV-17 (b)]

ADDITIONAL COMPANY ACCEPTING REQUEST TO PARTICIPATE IN THE ACTIVITIES OF AN ARMY ORDNANCE INTEGRATION COMMITTEE ON 3.5" ROCKETS

Pusuant to section 708 of the Defense Production Act of 1950, as amended, the name of the following company is herewith published which has accepted the request to participate in the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on 3.5" Rocket," dated July 25, 1951, which request and original list of companies accepting such request were published February 19, 1952, on 17 F. R. 1527. An additional list of companies accepting such request was published March 29, 1952, on 17 F. R. 2793.

Aywon Wire & Metal Co.,
22-36 Caton Place,
Brooklyn, N. Y.

(Sec. 708, 64 Stat. 818, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan 3, 1951, 16 F. R. 61; 3 CFR 1951 Supp.)

Dated: June 10, 1952.

HENRY H. FOWLER,
Administrator.

[F. R. Doc. 52-6542; Filed, June 11, 1952; 12:11 p. m.]

[D. P. A. Request No. 20—DPAV-24 (a)]

ADDITIONAL COMPANY ACCEPTING REQUEST TO PARTICIPATE IN THE ACTIVITIES OF AN ARMY ORDNANCE INTEGRATION COMMITTEE ON 4.2" MORTAR SHELL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the name of the following company is herewith published which has accepted the request to participate in the voluntary plan entitled "Plan and Regulations of Ordnance Corps Covering the Integration Committee on 4.2" Mortar Shell," dated August 13, 1951, which request and original list of companies accepting such request were published March 26, 1952, on 17 F. R. 2632.

Rodorn Manufacturing Corp.,
743 Fifth Avenue,
New York, N. Y.

(Sec. 708, 64 Stat. 818, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR 1951 Supp.)

Dated: June 10, 1952.

HENRY H. FOWLER,
Administrator.

[F. R. Doc. 52-6543; Filed, June 11, 1952; 12:11 p. m.]

FEDERAL POWER COMMISSION

[Project No. 605]

A. V. ANDERSON AND EVELER M. DOUGLAS

NOTICE OF ORDER DISMISSING APPLICATION

JUNE 6, 1952.

Notice is hereby given that on October 5, 1951, the Federal Power Commission issued its order entered October 2, 1951, dismissing application for approval of transfer of license (Minor) and issuing new license (Minor) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-6421; Filed, June 11, 1952; 8:46 a. m.]

[Project No. 2075]

WASHINGTON WATER POWER CO.

NOTICE OF ORDER ISSUING PRELIMINARY PERMIT

JUNE 6, 1952.

Notice is hereby given that on March 28, 1952, the Federal Power Commission issued its order entered March 25, 1952, issuing preliminary permit in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-6422; Filed, June 11, 1952; 8:47 a. m.]

[Project No. 2092]

PORTLAND GENERAL ELECTRIC CO.

NOTICE OF ORDER ISSUING PRELIMINARY PERMIT

JUNE 6, 1952.

Notice is hereby given that on April 24, 1952, the Federal Power Commission issued its order entered April 22, 1952, issuing preliminary permit in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-6423; Filed, June 11, 1952; 8:47 a.m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notification 45]

PLACEMENT OF PROCUREMENT IN THE CONNERSVILLE, INDIANA AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Connersville area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Connersville area, with the exception of the textile and apparel industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

The textile industry has been excluded from the provisions of this notification pursuant to Notification 38 dated June 4, 1952. Public hearings have been held on the apparel industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the policy.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on July 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
Acting Director.

FINDINGS AND RECOMMENDATION OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE CONNERSVILLE, INDIANA AREA UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of May 21, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Connersville area as a surplus labor area under standards established by the Secretary of Labor. The Connersville area is composed of Fayette, Franklin, Rush and Union Counties.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Connersville area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Connersville area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Connersville area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exist in the Connersville area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Connersville area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Connersville area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Connersville area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No, 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Connersville area;

5. That the apparel industry, to the extent that it exists in the Connersville area, should not be included in the application of Defense Manpower Policy No. 4 in the Connersville area; consideration will be given to separate recommendations applying to the entire apparel industry.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Connersville area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Chairman,
Surplus Manpower Committee.

Approved:

JOHN R. STEELMAN,
Acting Director,
Office of Defense Mobilization.

[F. R. Doc. 52-6518; Filed, June 11, 1952; 10:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-593]

LAWRENCE INVESTING CO., INC.

NOTICE OF FILING OF APPLICATION FOR EXEMPTION

JUNE 6, 1952.

Notice is hereby given that the Lawrence Investing Company, Inc. ("Lawrence"), has filed an application with this Commission requesting exemption on behalf of itself and all of its subsidiaries from the provisions of the Public Utility Holding Company Act of 1935 pursuant to section 3 (a) (3) thereof.

Notice is further given that any interested person may, not later than June 30, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by such application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. Said application may be granted at any time after June 30, 1952.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the facts contained therein, which are summarized as follows:

Lawrence and nine wholly-owned subsidiaries, all of which are New York corporations, are engaged in the ownership, management and sale of real property in the State of New York. The Lawrence Park Heat, Light and Power Company ("Power Company"), also a New York corporation and a wholly-owned subsidiary of Lawrence, is engaged in the distribution of electric energy, steam and water. Its electric operations are confined to a limited area in the Village of Bronxville, New York, where it serves properties owned almost exclusively by Lawrence and its wholly-owned subsidiaries.

During the calendar year 1951, the consolidated gross revenues of Lawrence and its subsidiaries amounted to $2,077,929 and net income amounted to $195,075. During the same period, gross electric utility revenues of the Power Company amounted to $62,884, and its net income from electric utility operations amounted to $1,112.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-6427; Filed, June 11, 1952; 8:48 a. m.]

[File No. 54-158]

UNITED CORP.

ORDER DIRECTING PAYMENT OF FEES AND EXPENSES

JUNE 4, 1952.

The Commission having on August 10, 1948, approved an amended plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by The United Corporation; and

The amended plan having provided that the payment of fees and expenses in connection with the plan would be subject to approval by this Commission, and the Commission, in its order of August 10, 1948, having reserved jurisdiction over the payment of such fees and expenses; and

Applications for allowance of fees and reimbursement of expenses having been filed, a public hearing having been held, a statement of views having been filed by the Division of Public Utilities, briefs and reply briefs having been filed by the applicants, and the Commission having heard oral argument; and

The Commission having considered the record and having this day made and filed its Memorandum Findings and Opinion, on the basis of said Memorandum Findings and Opinion:

It is ordered, That the payment by The United Corporation of the following fees and disbursements be and hereby is approved, and said company be and hereby is authorized and directed to make payment of such amounts thereof as have not already been paid:

	Fees	Disbursements
Whitman, Ransom, Coulson & Goetz	$55,000	$927.53
Southerland, Berl & Potter	2,000	472.39
John J. Burns	3,400	
Drexel & Co	10,000	
Townsend, Elliott & Munson	5,000	793.35
Duff & Phelps	2,500	310.00
Preference stockholders committee: Boehm & Fischman; Hays, St. John, Abramson & Schulman; Kurland & Wolfson, counsel	2,000	1,690.58
Carl Sherman, member	250	
Stephen R. Gibbons, member	250	
John M. Chapman, member	250	
Joseph Rogers, secretary	250	4.50
Randolph Phillips	2,000	376.84
John Davis	2,000	

It is further ordered, That the applications of O'Brien, Driscoll, Raftery & Lawler and Irving Rapaport and John H. Jackson and Norman Johnson be and the same hereby are denied.

It is further ordered, That the payment by The United Corporation of the following expenses be and hereby is authorized:

J. P. Morgan & Co., Inc., exchange and transfer agent	$29,740.41
Cost of other fiscal services	2,169.75
Arthur Young & Co	1,000.00
Reis & Chandler, Inc	1,193.36
Transcripts of hearings	1,535.85
Printing and related services	17,788.36
Advertising	3,265.05
Miscellaneous expenses	1,405.94

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-6426; Filed, June 11, 1952; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

ORGANIZATION OF DIVISIONS AND ASSIGNMENT OF WORK

ORDER AMENDING AND SUPPLEMENTING ORDER OF JUNE 8, 1942

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 2d day of June A. D. 1952.

Section 17 of the Interstate Commerce Act, as amended (49 U. S. C. 17), and other provisions of the law being under consideration, and with a view to providing for the elimination from the assignment of work to Division Five of initial jurisdiction over applications for temporary authority for service by common or contract carriers by motor vehicle under section 210a (a) of the act and applications for transfer of certificates or permits of carriers by motor vehicle under section 212 (b), now concurrent with the assignment of such applications to individual members of the Commission; and to provide further for the designation of Division Five as an appellate division to consider applications for rehearing, reargument, or reconsideration of any decision, order, or requirement of individual Commissioners in sections 210a (a) and 212 (b) applications, the decisions of said appellate division to be administratively final and not subject to review by the Commission, the following order, amending and supplementing the order of June 8, 1942 (7 F. R. 4516), as amended, Organization of Divisions and Assignment of Work, Business, and Functions, was duly adopted:

It is ordered, That the order of June 8, 1942, as amended, be further amended by:

(1) Deleting from the assignment of work to Division Five, the paragraph reading as follows:

Section 210a (a), relating to grant of temporary operating authority,

(2) Deleting from the assignment of work to Division Five, the paragraph reading as follows:

Section 212, relating to suspension, change, revocation, and transfer of certificates, permits, and licenses,

and substituting in lieu thereof the following:

Section 212 (a), relating to suspension, change, and revocation of certificates, permits, and licenses,

(3) In the section *Assignment of duties to individual Commissioners*, deleting the paragraph relating to procedure in the event of the absence or disability of the Commissioner to whom the work is assigned and substituting the following:

In each of the foregoing delegations and assignments to an individual Commissioner, in event of the absence or disability of such individual Commissioner, the senior member of the division which has jurisdiction of the subject matter or proceeding who is present shall act instead of the Commissioner above designated. In the event of the absence or disability of the individual Commissioner to whom applications under section 210a (a) or section 212 (b) are assigned, the senior member of Division Five who is present shall act instead of the individual Commissioner to whom the matter is assigned. In the event of the absence or disability of a Commissioner to whom a proceeding not referred to a division has been assigned for administrative handling or preparation of report, procedural matters in connection with such proceeding, except applications under section 210a (a) or section 212 (b), may be acted upon by the Chairman of the Commission.

(4) In the first line of the paragraph immediately following that described in item (3) hereof, following the word "matters," insert the following: "except applications under sections 210a (a) and 212 (b),"

(5) In the section *Rehearings and further Proceedings*, deleting the period at the end of the first paragraph and adding: "or an individual Commissioner."

(6) In the section *Rehearings and further proceedings*, inserting at the beginning of the second paragraph: "Except in applications under sections 210a (a) and 212 (b) which are especially provided for in the two succeeding paragraphs,"

(7) To the section *Rehearings and further proceedings*, adding a third and a fourth paragraph to read as follows:

Division Five is hereby designated an appellate division to which applications for rehearing, reargument, or reconsideration of any decision, order, or requirement of an individual Commissioner in section 210a (a) or section 212 (b) applications shall be assigned or referred for action thereon; the Chairman of Division Three shall be substituted as a member of the said appellate division in lieu of the individual member of Division Five who initially acted in the matter.

Any application for rehearing, reargument, or reconsideration of any decision, order, or requirement of an individual Commissioner in section 210a (a) or section 212 (b) matters (and any supporting or opposing documents) when submitted shall be considered by the Commissioner who initially acted upon the matter; if the Commissioner grants the same, the application will stand as granted by the Commissioner and denied by the appellate division, and further proceedings will be before the Commissioner and under his direction. Any further decision, order, or requirement of the Commissioner shall be subject to application for rehearing, reargument, or reconsideration as provided herein. If the Commissioner does not grant the application, the application (and supporting or opposing documents) will be considered by the appellate division. The decisions or orders of the appellate division shall be administratively final and not subject to review by the Commission.

It is further ordered, That the foregoing amendments shall become effective September 1, 1952.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-6433; Filed, June 11, 1952; 8:50 a. m.]